

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

AMERICAN TILE & MARBLE CO.,

Plaintiff,

vs.

ALL GRANITE & MARBLE CORP.,

Defendant.

8:13CV89

ORDER

Upon notice of settlement (Filing No. 52) given to the magistrate judge on January 5, 2015, by Burke Smith, attorney for the plaintiff,

IT IS ORDERED that:

1. On or before **February 6, 2015**, the parties shall electronically file a joint stipulation for dismissal (or other dispositive stipulation) and shall submit to the Honorable Joseph F. Bataillon, at *bataillon@ned.uscourts.gov*, a draft order which will fully dispose of the case. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a) and shall state whether the dismissal is with or without prejudice.

2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice.

Dated this 6th day of January, 2015.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge